

SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY BOARD

INITIAL STATEMENT OF REASONS

Hearing Date: N/A

Subject Matter of Proposed Regulations: Speech-Language Pathology Assistant – Elimination of Dual Licensure/Registration.

Amend Section 1399.151.1, and add Section 1399.170.20 to Title 16, Division 13.4, Article 12.

Specific Purpose of each adoption, amendment, or repeal:

Section 1399.151.1 (Amend)

Add a clarifying title to conform the formatting of the subsection regarding application processing times for issuance of a Speech-Language Pathology registration (SLPA) with the other related subsections under 1399.151.1.

Section 1399.170.20.1 (Adopt)

This section would allow for the cancellation of the Speech-Language Pathology Assistant (SLPA) registration upon the issuance of the Speech-Language Pathology license (SLP), thus preventing an individual from holding two licenses with different qualifications and levels of professional responsibility.

Factual Basis/Rationale

Under existing law it is possible for an individual registered as a SLPA to acquire additional education, clinical competence and professional experience in order to satisfy the licensing requirements to become a licensed SLP. After the individual becomes licensed as a SLP, there is no legal provision that terminates the registration as a SLPA, thus allowing the individual to maintain dual licensure/registration as a SLPA and a SLP.

The licensing authority of the SLP license and the SLPA registration are distinct from one another and the act of one individual operating under two privileges may create a number of problems. For example, the SLPA must work under the supervision of a SLP. It is possible under existing provisions for a dually licensed SLP/SLPA to work under the auspicious of a SLP supervisor of equivalent status. The supervising SLP could be held legally responsible for any unprofessional conduct committed by his or

her professional peer acting as a registered SLPA.

Further, practicing with a dual license/registration could be used as a vehicle by an unscrupulous individual to magnify any harm caused to patients. For example, the licensee could fail to provide adequate patient care as a SLP, and then purport in his or her defense, that he/she was not acting as an independent practitioner and should not be held to the highest standard of professional responsibility. This creates a difficult situation for the Board in terms of enforcing professional conduct and establishing the professional accountability of the individual. In addition, patients may easily be confused as to the professional identity of a person holding the equivalent of a two-tiered license.

Underlying Data

None.

Business Impact

This regulation will not have a significant adverse economic impact on businesses.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected:

Continue with the Board's regulations as they are currently written. This alternative was rejected because it would allow dual licensure/registration to continue, which creates confusion for the consuming public as it is difficult to discern the professional status and autonomy of a professional holding a two-tiered authority to practice speech-language pathology.